

Law Offices of Ezra Spilke

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # _____
DATE FILED: 6/9/2022

1825 Foster Avenue, Suite 1K
Brooklyn, New York 11230
t: (718) 783-3682
e: ezra@spilkelaw.com
www.spilkelaw.com

MEMO ENDORSED

June 8, 2022

By ECF

The Honorable Edgardo Ramos
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Issak Almaleh et al.*, No. 17 Cr. 25 (ER)

Dear Judge Ramos:

I write on behalf of both defendants to respectfully request a ninety-day adjournment of the June 17, 2022, sentencing hearing. We have conferred with counsel for the government who has no objection to this request.

Because of Mr. Almaleh's illness and because of my trial schedule, Mr. Almaleh has not been interviewed by Probation. Last week, I completed my second trial since the trial in this matter concluded. My trial schedule, a one-off occurrence precipitated by the lifting of Covid restrictions, left me with few opportunities to prepare my client, a Bulgarian speaker, for his pre-sentence interview. Additionally, as this Court is aware, Mr. Almaleh is of poor physical health. For the past several weeks, he has been complaining of an increase in symptoms like body aches and lethargy. On May 31, 2022, at counsel's urging, he visited a doctor, who diagnosed him with pneumonia and possible COVID-19. A copy of the doctor's letter is attached under seal as Exhibit A.

In addition, the current disclosure deadline for the first draft of Mr. Almaleh's Pre-Sentence Investigation Report is June 27, 2022, and we respectfully request an adjournment of thirty days for Probation's first disclosure and Probation's follow-on deadlines. *See In re Standardizing Dates for the Preparation of Pre-Sentence Investigation Reports*, 14-mc-00141-P1 (S.D.N.Y. May 30, 2014). Neither the government nor the Probation Department objects to this application.

Finally, both defendants request an adjournment of the Rule 29/33 deadline to July 15, 2022, with the government's opposition due on August 12. The government has no objection to adjourning the deadlines but would request July 1 and July 29 as the amended deadlines. We appreciate the Court's considerate attention to this matter.

Hon. Edgardo Ramos
Re: *United States v. Issak Almaleh et al.*

June 8, 2022
Page 2 of 2

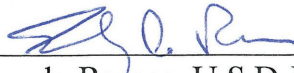
Respectfully submitted,

/s/ Ezra Spilke
Law Offices of Ezra Spilke, PLLC
Counsel for Issak Almaleh

cc: All counsel of record, by ECF
U.S. Probation Officer Specialist Paul Hay, by email

Sentencing is adjourned to October 6, 2022 at 10 a.m. The post-trial motions deadline is extended to July 15, 2022. The government's opposition is due August 12, 2022.

SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: 6/9/2022
New York, New York